

Exhibit 26

From: [Findtner, F T \(Tom\) CIV USARMY CEPOA \(USA\)](#)
To: [Garman, Douglas M CIV USARMY CEHQ \(US\)](#)
Cc: [Pawlik, Eugene A Jr CIV USARMY CEHQ \(USA\)](#); [Allen, Ana M CIV USARMY CEPOD \(USA\)](#); [Vera, San Luciano CIV USARMY CEPOD \(USA\)](#); [Budnik, John P CIV USARMY CEPOA \(US\)](#); [Napolitan, Rachel L CIV USARMY CEPOA \(USA\)](#)
Subject: RE: Statement
Date: Monday, August 24, 2020 8:31:07 AM
Attachments: [Talking Points 8-24-20.docx](#)
[Notification Letter 8-24-20.pdf](#)
Importance: High

Greetings Doug,

Thanks for sharing!

Quick update... Just spoke with our regulatory chief, Dave Hobbie, and confirmed the following:

* No media opportunity is planned at this time. Our public affairs posture is passive with an approach of response-to-query only.

* The attached talking points were provided by regulatory deputy, Sheila Newman, and have been approved for use by MG Graham.

* The attached notification letter is posted on the project website at:

<https://pebbleprojecteis.com/documents/mitigation>

Got a ton of media queries to respond to, so moving on to that. Will keep you posted.

v/r

Tom Findtner
Chief of Public Affairs
Alaska District
U.S. Army Corps of Engineers
907-753-2522

<http://www.poa.usace.army.mil>

facebook.com/AlaskaCorps

twitter.com/AlaskaCorps

flickr.com/AlaskaCorps

youtube.com/AlaskaCorps

-----Original Message-----

From: Garman, Douglas M CIV USARMY CEHQ (US) <Doug.M.Garman@usace.army.mil>

Sent: Monday, August 24, 2020 7:31 AM

To: Findtner, F T (Tom) CIV USARMY CEPOA (USA) <Tom.Findtner@usace.army.mil>

Cc: Budnik, John P CIV USARMY CEPOA (US) <John.P.Budnik@usace.army.mil>; Pawlik, Eugene A Jr CIV USARMY CEHQ (USA) <Eugene.A.Pawlik@usace.army.mil>

Subject: FW: Pebble Mine statement for review by Under

Tom,

For your awareness, below is a statement on Pebble Mine from the ASA CW's office.

We told them that your District was planning to release later today a copy of the letter provided to the applicant.

Are you still planning to have conference call with the press later today? If so, do you happen to have a time?

Thanks,
Doug

-----Original Message-----

From: Boring, Crystal X LTC USARMY HQDA OCPA (USA) [<mailto:crystal.x.boring.mil@mail.mil>]
Sent: Monday, August 24, 2020 10:51 AM
To: Brunson, Raini W CIV USARMY USACE (USA) <Raini.W.Brunson@usace.army.mil>; Costlow, William R CIV USARMY USACE (USA) <William.R.Costlow@usace.army.mil>; Pawlik, Eugene A Jr CIV USARMY CEHQ (USA) <Eugene.A.Pawlik@usace.army.mil>; Garman, Douglas M CIV USARMY CEHQ (US) <Doug.M.Garman@usace.army.mil>
Cc: Sharp, William J CIV USARMY HQDA OCPA (USA) <william.j.sharp16.civ@mail.mil>; Levine, Richard CIV USARMY HQDA OCPA (USA) <richard.levine19.civ@mail.mil>; Graham, W Curry (Curry) III CIV USARMY CEHQ (USA) <Curry.Graham@usace.army.mil>; Wilkinson, Catherine T COL USARMY HQDA OCPA (USA) <catherine.t.wilkinson.mil@mail.mil>; Smith, Cynthia O CIV USARMY HQDA OCPA (USA) <cynthia.o.smith.civ@mail.mil>
Subject: Re: Pebble Mine statement for review by Under

Great. This is the final approved version. Any thoughts on release would be greatly appreciated.

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Give these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

LTC Crystal X. Boring
Army Public Affairs
Media Relations Division

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From: "Brunson, Raini W CIV USARMY USACE (USA)" <Raini.W.Brunson@usace.army.mil>
<<mailto:Raini.W.Brunson@usace.army.mil>> >

Date: Monday, August 24, 2020 at 10:42:19 AM

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<<mailto:crystal.x.boring.mil@mail.mil>> >, "Costlow, William R CIV USARMY USACE (USA)"
<William.R.Costlow@usace.army.mil <<mailto:William.R.Costlow@usace.army.mil>> >, "Pawlik, Eugene A Jr CIV
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"Garman, Douglas M CIV USARMY CEHQ (US)" <Doug.M.Garman@usace.army.mil
<<mailto:Doug.M.Garman@usace.army.mil>> >
Cc: "Sharp, William J CIV USARMY HQDA OCPA (USA)" <william.j.sharp16.civ@mail.mil
<<mailto:william.j.sharp16.civ@mail.mil>> >, "Levine, Richard CIV USARMY HQDA OCPA (USA)"
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USARMY CEHQ (USA)" <Curry.Graham@usace.army.mil <<mailto:Curry.Graham@usace.army.mil>> >
Subject: RE: Pebble Mine statement for review by Under

LTC Boring, +Gene Pawlik & Doug Garman for response, both of whom are working this issue in our office.

V/r,

Raini

Raini W. Brunson

Public Affairs Specialist (EA PRT Coordinator/Emergency Ops/Mil Programs)

U.S. Army Corps of Engineers, Headquarters

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From: Boring, Crystal X LTC USARMY HQDA OCPA (USA) <crystal.x.boring.mil@mail.mil>
Sent: Monday, August 24, 2020 9:37 AM
To: Brunson, Raini W CIV USARMY USACE (USA) <Raini.W.Brunson@usace.army.mil>; Costlow, William R CIV USARMY USACE (USA) <William.R.Costlow@usace.army.mil>
Cc: Sharp, William J CIV USARMY HQDA OCPA (USA) <william.j.sharp16.civ@mail.mil>; Levine, Richard CIV USARMY HQDA OCPA (USA) <richard.levine19.civ@mail.mil>
Subject: Fwd: Pebble Mine statement for review by Under

Team USACE,

Civil Works has asked us to release this statement later today. Have you all released statements like this before? Which platforms, if so? I'm trying to determine what we should use, e.g. press release, Army.mil.

Thanks!

Crystal

LTC Crystal X. Boring
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crystal.x.boring.mil@mail.smil.mil <<mailto:crystal.x.boring.mil@mail.smil.mil>>

From: "Sharp, William J CIV USARMY HQDA OCPA (USA)" <william.j.sharp16.civ@mail.mil
<<mailto:william.j.sharp16.civ@mail.mil>>>
Date: Monday, August 24, 2020 at 9:11:04 AM
To: "Moyer, Lucas R CPT USARMY HQDA OGC (USA)" <lucas.r.moyer.mil@mail.mil
<<mailto:lucas.r.moyer.mil@mail.mil>>>, "Koch, Tiffany P MAJ USARMY HQDA OCLL (USA)"
<tiffany.p.koch.mil@mail.mil <<mailto:tiffany.p.koch.mil@mail.mil>>>, "Millson, Devin P MAJ USARMY HQDA
OCLL (USA)" <devin.p.millson.mil@mail.mil <<mailto:devin.p.millson.mil@mail.mil>>>, "Longwell, William M
MAJ USARMY HQDA OCLL (USA)" <william.m.longwell.mil@mail.mil
<<mailto:william.m.longwell.mil@mail.mil>>>, "Walden, Mark D MAJ USARMY HQDA OCLL (USA)"
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Cc: "Boring, Crystal X LTC USARMY HQDA OCPA (USA)" <crystal.x.boring.mil@mail.mil
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HQDA OCPA (USA)" <brandon.l.kelley2.mil@mail.mil <<mailto:brandon.l.kelley2.mil@mail.mil>>>
Subject: FW: Pebble Mine statement for review by Under

OGC, OCLL Teammates,

The principal deputy assistant secretary of the Army for civil works office seeks approval for OCPA to issue the statement below today at 1 p.m. regarding the Pebble Mine project.

Luke, please advise if OGC and OTJAG concurrence is needed.

OCLL, we want to ensure the Alaska delegation gets a heads up by 11 a.m.

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

William

WILLIAM J. SHARP, APR+M

Public Affairs Officer

Media Relations Division

Headquarters Army Office of the Chief of Public Affairs

1500 Army Pentagon

Washington, D.C., 20310-0200

(703) 614-5302

From: Boring, Crystal X LTC USARMY HQDA OCPA (USA) <crystal.x.boring.mil@mail.mil
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Sent: Monday, August 24, 2020 8:38 AM
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Cc: Levine, Richard CIV USARMY HQDA OCPA (USA) <richard.levine19.civ@mail.mil
<<mailto:richard.levine19.civ@mail.mil>> >
Subject: Fwd: Pebble Mine statement for review by Under

Will,

Please staff this ASAP.

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From: "Wilkinson, Catherine T COL USARMY HQDA OCPA (USA)"
<catherine.t.wilkinson.mil@mail.mil <<mailto:catherine.t.wilkinson.mil@mail.mil>> >
Date: Monday, August 24, 2020 at 7:49:57 AM
To: "Dobson, Jamie D LTC USARMY HQDA SECARMY (USA)" <jamie.d.dobson.mil@mail.mil
<<mailto:jamie.d.dobson.mil@mail.mil>> >, "Boring, Crystal X LTC USARMY HQDA OCPA (USA)"
<crystal.x.boring.mil@mail.mil <<mailto:crystal.x.boring.mil@mail.mil>> >
Cc: "Smith, Cynthia O CIV USARMY HQDA OCPA (USA)" <cynthia.o.smith.civ@mail.mil
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USARMY HQDA OCPA (USA)" <william.j.sharp16.civ@mail.mil <<mailto:william.j.sharp16.civ@mail.mil>> >
Subject: RE: Pebble Mine statement for review by Under

Thank you Jamie.

Crystal,

Please run this revision past OGC, OTJAG and OCLL again and ask OCLL to ensure the Alaska

delegation gets a heads up by 1100.

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

vr

COL W

From: Dobson, Jamie D LTC USARMY HQDA SECARMY (USA) <jamie.d.dobson.mil@mail.mil>
<<mailto:jamie.d.dobson.mil@mail.mil>> >
Sent: Monday, August 24, 2020 7:41 AM
To: Wilkinson, Catherine T COL USARMY HQDA OCPA (USA)
<catherine.t.wilkinson.mil@mail.mil> <mailto:catherine.t.wilkinson.mil@mail.mil> >
Cc: Smith, Cynthia O CIV USARMY HQDA OCPA (USA) <cynthia.o.smith.civ@mail.mil>
<<mailto:cynthia.o.smith.civ@mail.mil>> >; Hannah, Amy E BG USARMY HQDA OCPA (USA)
<amy.e.hannah.mil@mail.mil> <mailto:amy.e.hannah.mil@mail.mil> >
Subject: RE: Pebble Mine statement for review by Under

COL Wilkinson,

Ma'am, Mr. McPherson had one edit, he is good with this statement (below) after it is reviewed by OGC. I can ask my XO to expedite the OGC review this morning when he arrives. Additionally, Mr. McPherson would like the Alaska congressional delegation to get the statement in advance of the public release and we have prepped our Leg. affairs officer to be prepared to support:

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

V/r

Jamie

From: Wilkinson, Catherine T COL USARMY HQDA OCPA (USA)
<catherine.t.wilkinson.mil@mail.mil <<mailto:catherine.t.wilkinson.mil@mail.mil>> >
Sent: Friday, August 21, 2020 5:18 PM
To: Dobson, Jamie D LTC USARMY HQDA SECARMY (USA) <jamie.d.dobson.mil@mail.mil
<<mailto:jamie.d.dobson.mil@mail.mil>> >
Cc: Smith, Cynthia O CIV USARMY HQDA OCPA (USA) <cynthia.o.smith.civ@mail.mil
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<amy.e.hannah.mil@mail.mil <<mailto:amy.e.hannah.mil@mail.mil>> >
Subject: Pebble Mine statement for review by Under

Jamie,

This language appears to have been approved by someone at the White House. Mr. Fisher is the POC who coordinated for the Army. He is requesting that the Army issue this release on Monday at 1300.

Original:

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Give these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

BG Hannah would like you to please let the Under know about this and request his consideration/approval of this adjustment:

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Give these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

They want to issue this statement at 1300 on Monday.

Vr

COL Wilkinson

From: Boring, Crystal X LTC USARMY HQDA OCPA (USA) <crystal.x.boring.mil@mail.mil
<<mailto:crystal.x.boring.mil@mail.mil>> >
Sent: Friday, August 21, 2020 3:29 PM
To: Krause, Katherine J CIV USARMY HQDA ASA CW (USA) <katherine.j.krause.civ@mail.mil
<<mailto:katherine.j.krause.civ@mail.mil>> >
Cc: Jensen, Stacey M CIV USARMY HQDA ASA CW (USA) <stacey.m.jensen.civ@mail.mil
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USARMY HQDA OCPA (USA) <william.j.sharp16.civ@mail.mil <<mailto:william.j.sharp16.civ@mail.mil>> >
Subject: Re: Statement for Release

Got it, Katie! We will work this, edit appropriately and get the CPA's approval before issuing Monday at 1300. I'll make sure you all see the final version for your approval well before we publish. More to follow soon.

V/r,

Crystal

LTC Crystal X. Boring
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From: "Krause, Katherine J CIV USARMY HQDA ASA CW (USA)"
<katherine.j.krause.civ@mail.mil <<mailto:katherine.j.krause.civ@mail.mil>> >
Date: Friday, August 21, 2020 at 3:10:01 PM
To: "Boring, Crystal X LTC USARMY HQDA OCPA (USA)" <crystal.x.boring.mil@mail.mil
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Cc: "Jensen, Stacey M CIV USARMY HQDA ASA CW (USA)"
<stacey.m.jensen.civ@mail.mil <<mailto:stacey.m.jensen.civ@mail.mil>> >, "Fisher, Ryan A SES USARMY HQDA
ASA CW (USA)" <ryan.a.fisher12.civ@mail.mil <<mailto:ryan.a.fisher12.civ@mail.mil>> >
Subject: Fwd: Statement for Release

Good afternoon LTC Boring,

Please see below for a request from the Principal Deputy ASA(CW) for OCPA to release a
statement on Monday, 24 August at 1300 re: Section 404 of the Clean Water Act.

Stacey Jensen is our subject matter expert, and is CC'd above for any technical questions.

Please let me know if there is anything needed from me to help fulfill this request.

Thanks,

Katie Krause

Special Assistant to the Principal Deputy Assistant Secretary of the Army (Civil Works)

The Pentagon, Washington D.C. - 3E441

C: 703-216-5459

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Date: Friday, August 21, 2020 at 1:55:23 PM
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Cc: "Jensen, Stacey M CIV USARMY HQDA ASA CW (USA)"
<stacey.m.jensen.civ@mail.mil <<mailto:stacey.m.jensen.civ@mail.mil>> >
Subject: Statement for Release

Katie,

Please find below a statement from the OASACW that I would like OCPA to issue on Monday, 24 AUG @ 13:00. Please run it by OCPA for formatting purposes. CC: Stacey Jensen in case they have any technical questions.

Thanks!

Ryan

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Give these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

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